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October 29, 1999

VIA FIRST CLASS MAIL

Kathryn I. Dyer
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

Re: *Request For Records Under Freedom of Information Act*
Reference No. F-1999-01980

Dear Ms. Dyer:

I am in receipt of your letter dated October 13, 1999 regarding the above-referenced Freedom of Information Act ("FOIA") request.

In your letter, you state that the Central Intelligence Agency ("CIA") has denied Mr. Rautenberg's request for a fee waiver based on its determination that "disclosure of the requested documents will not contribute significantly to the public understanding of U.S. Government operations or activities." Based on this determination, you request that I provide clarification as to the purpose the requested records will be put in order to determine the appropriate fee category for the request.

Please be advised that I dispute the CIA's determination that this request will not contribute significantly to the public understanding of U.S. Government operations or activities. Mr. Rautenberg seeks these records to assist him in his plans to write a book about his experiences relating to the subject matter of the requests. This topic is of significant interest to the public and reveals important information relating to the U.S. Government's Cold War operations. As such, this request clearly falls within the scope of those requests for which a fee waiver is justified. Thus, I strongly suggest that the CIA reconsider its prior determination without the necessity of a fee waiver appeal.

However, notwithstanding the above, and in an effort to enable Mr. Rautenberg to best assess the options available to him, I would like to obtain an estimate of the total amount of fees that the CIA anticipates it will charge for satisfying the request within ten (10) days from the receipt of this letter. Based on my review of the applicable regulations, the fee category that appears to be most appropriate in this regard is "all other."

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By requesting an estimate of fees that may be charged by the CIA, Mr. Rautenberg does not waive his right to appeal the CIA's denial of his request for a fee waiver or reduction as provided for in 32 CFR §1900.13 (c) or any other rights or remedies he may possess, all of which are expressly reserved.

Thank you for your anticipated cooperation and prompt attention to this matter. I look forward to hearing from you.

Very truly yours,

GOLDBERG, SCOTT, BELFIELD,
STEINBERG & COHEN
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RAYMOND B. KIM